



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

CONFIDENTIAL

SEP 19 1985

62027

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 19 1985

In Reply Refer To: 3HW11

Mr. Nelson Daher
General Manager
Tonolli Corporation
Route 54, R.D. #1
Nesquehoning, PA 18240

Re: EPA I.D. No. PAD 07 361 3663

Dear Mr. Daher:

A review of our records indicates that the hazardous waste management facility cited above may be operating under interim status, subject to regulation 40 C.F.R. Part 265, promulgated pursuant to the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901-87. On November 8, 1984 President Reagan signed the "Hazardous and Solid Waste Amendments of 1984," which reauthorized RCRA. These Amendments contain a number of provisions that may affect the future operations of your facility. The purpose of this letter is to explain, in particular, the provision relative to the potential loss of interim status which can occur after November 8, 1985, if you fail to take certain actions.

Section 3005(e)(2) of RCRA as amended, 42 U.S.C. § 6925(e)(2), now requires:

In the case of each land disposal facility which has been granted interim status under this subsection before the date of enactment of the Hazardous and Solid Waste Amendments of 1984, interim status shall terminate on the date twelve months after the date of the enactment of such Amendments unless the owner/operator of such facility---

(A) applies for a final determination regarding the issuance of a permit under subsection (c) for such facility before the date twelve months after the date of the enactment of such Amendments; and

(B) certifies that such facility is in compliance with all applicable groundwater monitoring and financial responsibility requirements.

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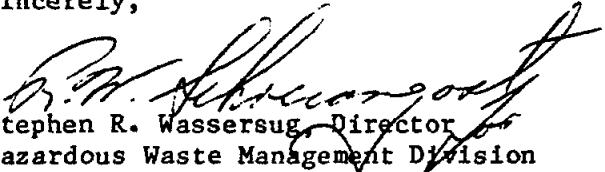
This provision requires several actions on your part, including submission of an application for a final determination and certification that the facility complies with all applicable requirements for groundwater monitoring and financial responsibility. These should be sent to the following address on or before November 8, 1985:

Director, Hazardous Waste Management Division (3HW00)
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

Written certifications must be signed according to requirements set forth in 40 C.F.R. 270.11(a)(1) and 270.11(a)(3). Originally signed copies of your certification(s) must be sent to EPA at the above address, and to the State at the address shown below.


Failure to submit the application for final determination and the compliance certification will result in the termination of interim status for your facility. The U.S. Environmental Protection Agency encourages you to keep abreast of developments relating to the new statutory provisions; the Agency plans to provide further guidance as it becomes available. If you have any questions concerning this matter, please contact Mr. Patrick McManus at (215) 597-3923.

Sincerely,


Stephen R. Wassersug, Director
Hazardous Waste Management Division

cc: Leon Kuchinski
PA DER/Central Office

David Lamereaux
PA DER/Wilkes-Barre Office

<p>SENDER: Complete items 1, 2, 3 and 4.</p> <p>Put your address in the "RETURN TO" space on the inside. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.</p>		<p>1. <input type="checkbox"/> Show to whom, date and address of delivery.</p> <p>2. <input type="checkbox"/> Restricted Delivery.</p>		<p>3. Article Addressed to: Mr. Nelson Daher General Manager Tonolli Corporation Route 34, R.D. #1 Nesquehoning, PA 18340</p>		<p>4. Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail</p>		<p>Article Number P 587 237 149</p>		<p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>		<p>5. Signature - Addressee X </p>		<p>6. Signature - Agent X</p>		<p>7. Date of Delivery 9-26-85</p>		<p>8. Addressee's Address (ONLY if requested and fee paid)</p>	
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DOMESTIC RETURN RECEIPT